

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JACQUELINE C. KING,

Plaintiff,

v.

JUDY K. WEEKS,

Defendant.

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No. 2:18-cv-02616-TLP-cgc

ORDER ADOPTING THE REPORT AND RECOMMENDATION

This is an eviction case. Plaintiff sued for forcible entry and detainer in the proper court, the General Sessions Court of Shelby County, Tennessee. After Defendant removed the case to federal court, Plaintiff moved for remand. The Magistrate Judge issued a Report and Recommendation (R&R) (ECF No. 13) recommending that the detainer action be remanded to the Shelby County Court of General Sessions pursuant to 28 U.S.C. § 1447(c). (ECF No. 1.)

The Magistrate Judge found that the Parties lacked diversity jurisdiction because the parties are citizens of Tennessee, and the amount in controversy does not exceed \$75,000. (ECF No. 13 at PageID 94.) The Magistrate Judge further concluded that Plaintiff did not present any federal question on the face of its complaint. (*Id.*)

Pursuant to Federal Rule of Civil Procedure 72(b)(2), “[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2).

Neither party objected to the R&R and the time for filing objections has expired. *See* Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. Having reviewed the R&R, the Court finds no clear error and ADOPTS the Report and Recommendation (ECF No. 13) in its entirety.

Thus, Plaintiff’s Motion to Remand is GRANTED and this matter will be remanded back to the General Sessions Court of Shelby County, Tennessee.

SO ORDERED, this 28th day of November, 2018.

s/Thomas L. Parker

THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE